

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 12/28/92

DEPT. 30

HONORABLE David Horowitz

JUDGE

S. ROBLES

DEPUTY CLERK

HONORABLE
2

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

C. AGUIRRE, CSL

Deputy Sheriff

B. CHARLINE HOWELL

Reporter

8:30 am

BC052395

Church of Scientology, etc.

Plaintiff LAURIE J. BARTILSON (x)

Counsel

VS

Gerald Armstrong, et al.

Defendant FORD GREENE (x)

Counsel

170.6 JUDGE GEERNAERT

NATURE OF PROCEEDINGS:

DEMURRER BY CHURCH OF SCIENTOLOGY INTERNATIONAL TO AMENDED ANSWER OF GERALD ARMSTRONG;

MOTION OF PLAINTIFF AND CROSS-DEFENDANT, CHURCH OF SCIENTOLOGY INTERNATIONAL, TO STRIKE CROSS-COMPLAINT OR IN THE ALTERNATIVE TO STRIKE PORTIONS THEREOF AND FOR SANCTIONS AGAINST CROSS-COMPLANANT GERALD ARMSTRONG AND HIS COUNSEL OF RECOND, PAUL MORANTZ AND FORD GREENE; C/F 12/15

FURTHER STATUS CONFERENCE;

Motion to Strike Cross-Complaint DENIED.

Cross-Complaint has significantly reduced the amount of conclusionary and unnecessarily inflammatory statements from his pleadings. In an effort to move these proceedings along, the Court will deny the motion to strike and request for sanctions. Cross-Defendant to answer within 20 days.

Demurrer to Answer OVERRULED.

Many of the arguments made by the moving party are correct. These are serious deficiencies in many of the affirmative defenses alleged by the Defendant. However, if the Court were to sustain the demurrer it would have to do so with leave to amend. The Defendant may or may not be able to cure the deficiencies. The end result of sustaining the demurrer would simply be to delay the case and

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HUB LAW OFFICES

MINUTES ENTERED 12/28/92 COUNTY CLERK

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NATURE OF PROCEEDINGS:

generate more costs for the parties.

Each of the affirmative defenses alleged is subject to a summary adjudication motion under Code of Civil Procedure Section 437c(f). The facts and law concerning each of the defenses can be addressed at the appropriate time and after discovery is completed. The Demurrer is OVERRULED.

Conference is held.

A FINAL STATUS CONFERENCE is set for April 23, 1993 at 8:30 a.m., in this department.

TRIAL is set for May 3, 1993 at 8:30 a.m., in this department.

Exhibits D to Plaintiff's Reply Memorandum in Support of Motion to Strike Cross-Complaint and for Sanctions, a book entitled "What is Scientology", is returned to the moving party this date pursuant to order of the court.

Plaintiff shall give notice.